

THE CAUCASIAN.

VOL. XVIII.

RALEIGH, NORTH CAROLINA, THURSDAY, FEBRUARY 15, 1900.

NO. 11.

MANHOOD SUFFRAGE

Mr. Butler's Speech In the Senate on the Suffrage Amendment.

THE LEGISLATURE CAN NOT IN- STRUCT THE COURTS.

The Legal Questions at Issue—The II Literacy of North Carolina—Sixty Thousand White Voters in Danger of Being Disfranchised—Decisions of the Supreme Court Quoted. The Amendment Puts the South in a False and Unenviable Position.

[Washington Times.]

Mr. Butler of North Carolina addressed the Senate to-day at the close of the routine morning business on the subject of the resolution introduced by Senator Pritchard, relating to suffrage in North Carolina. Mr. Butler spoke, in part, as follows:

"Mr. President: I have listened attentively to the three speeches which have been delivered in the Senate in opposition to this resolution. I have been surprised that these Senators have devoted the major part of their speeches not to the legal and constitutional questions at issue, but, instead, to a discussion of a question that is not at issue and about which there is no contention—that is, whether or not the negro is as intelligent and as capable of self-government as the white man.

THE QUESTIONS INVOLVED.
"If the proposition before the Senate was a resolution for the repeal of the Fifteenth amendment, then their speeches would have been more to the point. But that is not the question raised by the resolution, nor is it the question that confronts the people of my State to be voted on at the August election of this year.

"The only questions at issue before the Senate and before the voters of North Carolina are the legal ones which would be considered by the Supreme Court if the proposed suffrage amendment should come before it to be tested. What are these legal questions?"

"First, is section 5 of the proposed amendment unconstitutional—in conflict with the fifteenth amendment?"

"Second, if the Supreme Court should hold that section 5 is unconstitutional, would it also hold that the balance of the amendment (which makes a complete and constitutional scheme of limiting suffrage) should stand as a part of the organic law of the State?"

"These are the questions I propose to discuss. If the law and the decisions of our Supreme Court show that the answers to both of these questions must be in the affirmative, I take it that then there would not be a man in this body nor a vote in North Carolina who would dare support the proposed amendment.

"Now, the question is, Is the section (known as the 'grandfather clause') constitutional? It provides that a citizen who could vote on or before January 1, 1867, or whose father or grandfather were then allowed to vote, shall be exempt from the provisions of section 4 and permitted to vote, even though unable to read and write, and therefore not possessing the qualifications required of other voters. Now does this provision operate equally, impartially, and uniformly upon both races and upon those formerly free or formerly bond? If it does not, then clearly it is unconstitutional and must fall."

LEGAL DECISIONS QUOTED.
"Mr. Butler at this point quoted from a number of decisions of the United Supreme Court, and speeches of noted legal authorities, as proof of the unconstitutionality of the 'grandfather clause.'

"Should the court hold," continued Mr. Butler, "that this section is unconstitutional, and that the remainder of the amendment—which is constitutional, and which is a logical, complete, and constitutional scheme for limiting suffrage—shall stand, what will be the result? What would be the effect of the operation of the proposed North Carolina amendment with section 5 eliminated? No one familiar with the facts or who will take the trouble to examine the census reports will deny that the result will be to disfranchise fifty or sixty thousand white voters, indeed, as many white voters as colored voters."

"I regret to say it, and would not advise the fact if the threatened dangers of disfranchisement of this large number of the sturdy yeomanry of the State did not demand it, that North Carolina has a larger percentage of illiterate whites than any other State in the Union. Therefore, the adoption of such a disfranchising scheme would result in disfranchising more good substantial men in this State than in any other State in the Union. These illiterate white men are not like the classes of the great cities, but they are, as a rule, sturdy and as worthy citizens as North Carolina has within her borders."

"They are the descendants of the Revolutionary patriots who fought at Kings Mountain, Moore's Creek, Guilford Court House, and on every field in the Revolution. Many of them are old men and former Confederate soldiers, who are now too old to start to school and get an education even if they had the time and money to do so. Many of these class volunteers and entered the

United States Army in the late war with Spain.

A DANGER POINTED OUT.
"These men who compose some of the very best and most substantial citizens of my State would be disfranchised while the town-negro could vote and be eligible to hold office according to the provisions of the amendment. This danger, in addition to the belief that the amendment is unconstitutional, will cause a large number of the voters of North Carolina to reject this amendment at the polls.

"The supporters of this amendment have recently realized that this is true, in fact, they have just admitted that they cannot sustain this measure in arguing before the people. I hold in my hand the proof of that confession. On last Thursday Judge Brown, one of the State Circuit Court Judges of North Carolina, while holding court at Wilmington, gave to the press an interview in which he not only expressed an opinion about the constitutionality of the proposed amendment, but he went further and advised his political friends to amend it in order to avert defeat at the polls.

"But, Mr. President, this section attempting to instruct the court how to construe the amendment will not fool the voters of the State into supporting such a dangerous scheme. They have had intelligence enough to see the danger in section 5. The same intelligence will guard them against this new device. The voters of North Carolina are intelligent enough to know that there is not only grave, if not certain, danger to 60,000 white voters in this amendment, but they also know that if this amendment were adopted and section 5 eliminated, no power under heaven could restore to those voters their ballot except by again amending the constitution.

"These 60,000 illiterate white voters are intelligent enough to know that when once disfranchised they would have no vote to help change the amendment and help wipe out the wrong. They know that the average politician only fears the people so long as they have a vote.

"Mr. President, this whole scheme is not only fraught with danger, but it is unnecessary. It puts the South in a false and unenviable position to attempt to deal with suffrage in this unchildish manner."

LONDON'S WOMAN BARBER.

She Is Learned in the Mysteries of Hypnotic Influence.

The Lady Barbers' association—the original one, mark you—has existed eleven years, says the *Pall Mall Gazette*. Its present address is 655 Chancery Lane, and its latest proprietor, Miss St. Quentin, who has been in possession since June last. She is a charming and accomplished lady learned in the mysteries of hypnotic influence, and has even seen Buddha. In response to the invitation contained in the announcement that made, was at home, coupled with the presidential promise of tea, writer descended on the plain, having been brought with the electric lamps diffusing brightly warm color through the crimson shades and behind the pretenses of the razors performing the customary rites upon various stubby and upturned masculine chins. It seemed so entirely pleasant a process that the writer remembered with a secret joy that he had not shaved that morning. Presently it was his turn, and, placing his head upon the pad, he suffered himself to be lathered and prepared for sacrifice. To be shaved by a deft-handed woman is almost a magical process. There is none of the 'slish-slashing' of the gentleman whom a bountiful nature intended to be a hedge carpenter. No, no. There is something smooth and gliding over one's cheek, with here and there the light pressure of delicate fingers, and, presto! one emerges with a chin that is equal without a shadow of depreciation to every domestic and ante-martial demand upon it.

Mr. Gladstone as a Book Expert.

The late Mr. Gladstone had a high opinion of Mr. Gladstone's knowledge of antique books, and when the Grand Old Man visited, as he often did, the shop in Piccadilly he was invariably shown by the proprietor any curiosity that changed his mind to any possibility that the man, Mr. Gladstone, had any knowledge of books. Gladstone, Sir Thomas Elwin's black letter, "Castell of Heith," printed in 1534, and said, "Do you see anything wrong with it?" The old statesman fixed his pine-eyes and scanned the title-page. Something excited his suspicion, so he picked up a magnifying glass, and had a good look at the printing. "Fac-simile, and not a type impression, I fancy, Mr. Gladstone," was Mr. Gladstone's comment. He was right; the title page was missing, but it had been restored so ingeniously as to deceive anybody but an expert. Mr. Gladstone was wont to say, "In most points about a book Gladstone's just about as 'cute as I am myself!"—London Mail.

An approved sea maxim teaches that the landsman who is to become a neat, two-handed sailor must be caught early and be given such special training as will fit him for the duties and hazards of the sea. The Alameda has been detailed to the British navy to train him to the hardships of an arduous trade. Realizing the importance of this discipline, the Navy Department has asked Congress to authorize the construction of two additional auxiliary steamers, and to emphasize its belief in the system has detailed two vessels—the Hartford and the Dixie—for the specific training of landsmen. The appropriation has the approval of our best officers, and, as it makes for efficiency, should be authorized with encouraging diligence.

"They are the descendants of the Revolutionary patriots who fought at Kings Mountain, Moore's Creek, Guilford Court House, and on every field in the Revolution. Many of them are old men and former Confederate soldiers, who are now too old to start to school and get an education even if they had the time and money to do so. Many of these class volunteers and entered the

United States Army in the late war with Spain.

Drunk Juror Jailed.

Maston, N. C., Special.—Quite a sensation was created here late Friday afternoon when J. G. Grant and J. W. Hemphill were arrested for contempt of court. The facts are that Grant became intoxicated while serving as a juror in the case of Godfrey vs. the Marion County Poor Farm. Mrs. Grant was the officer in charge of the jury and allowed Grant to drink the whisky. Judge Shaw sentenced both men to jail for ten days. Grant and Hemphill are members of two of the best families in this county.

"There are fifty girls in one mission school in China who had been thrown away by their parents to die in their infancy.

"The laws of Mexico provide that a Mexican who wishes to take a second wife must have his wife signed by his first husband to the effect that she is willing, and he must also have the express consent of the second wife and her parents.

Observe Little Willie.

Willie—*I guess papa has said something that's made mamma awfully angry. When those callers go, he'll get it!*

Clara—*How do you know? Willie—She's begun to call him "darling."*—Harlem Life.

BULLER RETIRES.

The British Suffer Another Repulse

From the Boers.

London, by Cable.—London accepts as true the Boer statement that General Buller has failed again. These statements were passed by the British censor at Aden and are read in the light of Mr. Balfour's announcement in the Commons that General Buller is not pressing his advance. Mr. Winston Churchill writes that Vaal Krantz was impracticable for the guns which were needed to support a further advance. His cablegram leaves General Buller on Tuesday night sending a fresh brigade to relieve the tired soldiers of Vaal Krantz. The descriptive writers with General Buller were allowed a rather free hand, again explaining the ugly position which the British held and the natural obstacles which had to be overcome. So it is easy to infer that with Boer riflemen and artillery defending them, these hills, ravines and jungles have not been overcome, and thus the public prepared in advance for bad news. Heliograms from Ladysmith, dated Monday, describe the effect General Buller's cannonade had on the worn garrison. Hope ran high that the long period of inactivity and tedium was drawing to a close. The crash of the guns was almost continuous for 10 hours, and at times it seemed as if as many as 20 shells burst in a minute. The Boers, preparing always for the possibility of defeat, were driving horses and sending long wagon trains toward the Drakensberg passes. Intense darkness and silence followed, broken only by frogs croaking and the occasional blaze of star shells, surrounding the town with a circle of light to prevent the unbroken approach of the enemy. A series of British mines, laid for the Boers, exploded accidentally shaking and alarming the city and camp.

General McDonald's retirement puzzles the military commentators. The theory that finds acceptance is that it was ordered by Lord Roberts and that both General Buller's and General McDonald's operations were by the direction of the commander-in-chief, in order to occupy the Boers at widely-separated points, so they would be unable to transfer any portion of their forces to oppose the projected central attack.

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"The supporters of this amendment have recently realized that this is true, in fact, they have just admitted that they cannot sustain this measure in arguing before the people. I hold in my hand the proof of that confession. On last Thursday Judge Brown, one of the State Circuit Court Judges of North Carolina, while holding court at Wilmington, gave to the press an interview in which he not only expressed an opinion about the constitutionality of the proposed amendment, but he went further and advised his political friends to amend it in order to avert defeat at the polls.

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THESE BROKEN PLEDGES.

In a recent issue THE CAUCASIAN published several affidavits from voters who heard Democratic speakers and Democratic candidates for the last legislature solemnly pledge the people on the stump that if they were put in power that they would not attempt to disfranchise any voter white or black in the State. That the Democratic organization, officially, in its State campaign book and in official address by its State chairman and by pledges from the speakers and candidates of that party from mountain to sea, made such pledges is well known to need any proof. In fact, not a single Democratic speaker or politician in the State has ever denied or attempted to deny that they made such pledges.

There has been such great demand for extra copies of THE CAUCASIAN containing the affidavits above referred to, that we have decided to publish a few more of such affidavits. The following affidavit shows the pledge that Mr. Robinson, the Democratic candidate for the legislature in Cumberland, made:

STATE OF NORTH CAROLINA, {
CUMBERLAND COUNTY. {

D. K. Taylor, being duly sworn, deposes and says: That he heard H. McD. Robinson, Democratic candidate for the legislature in Cumberland county, say that the Democrats did not want the Louisiana disfranchising amendment to the Constitution; that the charges made by the Republicans and Populist speakers that they, the Democrats, were disfranchising the negro and poor white was false and only used to influence their vote; that they also favored the negro controlling their own schools.

THEY ARE TWO OF A KIND.

We notice that the News and Observer charges that Senators Pritchard and Butler, in their speeches in the Senate, have misrepresented Senator Vance's position on manhood suffrage. If they have done so, why does not the News and Observer publish exactly what they did say and let the people see for themselves?

We challenge the News and Observer to do this. That paper dare not do it, for if it did so it would prove that it was misrepresenting them and Senator Vance also. Besides, it does not lie in the mouth of the editor of the News and Observer to attempt to be spokesman for Senator Vance. The editor of that paper was holding a fat job at the Cleveland pie counter at the time that Cleveland and Ransom were persecuting and misrepresenting Senator Vance. And the editor of that paper, while being fed with Cleveland pie, joined them in their infamous crusade. Indeed, the editor of that paper tried to justify the status quo in repealing the last silver law on the status books, as the files of his paper will show. Vance's opinion of the editor of the News and Observer was no doubt on a par with the opinion he expressed in the United States Senate of Mr. Simmons when he denounced him and defeated his confirmation for an important office on the ground that he was unworthy to hold a position of trust or profit. They are two of a kind.

J. A. W. SIMONS, J. P.

Sworn to and subscribed before me, this 27th day of January, 1900

J. H. EVANS, J. P.

Mr. Daugherty made this pledge for his party from one end of the State to the other. Will he now endorse the outrageous disfranchising scheme submitted by the State legislature? Or will he stand by his pledges and promises to the people and oppose it?

In our next issue we will publish more of these affidavits. Clip them and take them with you when these speakers come around to make new pledges and promises to the people this year.

THE KEN-TUCKY SITUATION.

Law and order have not yet been restored in Kentucky. The ballot box stuffers, having failed so far to steal the State, have threatened to go off and set up a separate State government of their own. A number of efforts has however been made, it seems, on both sides during the past week to secure some compromise or settlement of their differences. It is noticeable that the one condition which the Republicans and anti-Goebel Democrats and Populists have insisted upon is that the infamous Goebel election law shall be repealed outright, and that a fair and honest law that would give all parties representation on elections boards should be enacted in its stead. Up to date, the Goebel machine Democrats have refused to accede to this. It seems that they are ready to concede anything else before giving up this infamous, thieving election law by which they can stuff enough ballot boxes and steal enough votes to overturn the will of the people. There is one column that a brave, free people will not submit to, and that is to have their votes stolen and their verdict reversed by dishonest election officials. This Goebel election law is the root and the cause of all the trouble that has occurred in Kentucky. From the present writing it seems that if the Democratic Machine would simply agree to have honest elections and let the people rule, that everything would be settled peacefully and quietly at once.

In this issue Mr. Nash ably replies to Mr. Busbee as to the Constitutionality of section 5, Mr. Nash says that he will vote against the amendment because it violates the Federal Constitution which he has sworn to support.

SENATOR PETTIGREW ON THE AMENDMENT.

On the front page of this issue of THE CAUCASIAN will be found a legal opinion from Senator R. E. Pettigrew, of South Dakota, on the proposed suffrage amendment. While Senator Pettigrew does not write as full and elaborate opinion as Senator Allen, whose opinion was published in the last issue of THE CAUCASIAN, yet he is equally as clear and as positive that section 5 is not only unconstitutional, but that the Courts will declare it void and sustain the remainder of the amendment.

He says that the well established principle of construction which the Court will make it necessary for it to take this course regardless of any attempted instruction to the Court by the Legislature. Senators Allen and Pettigrew have no partisan interests to warp their legal judgment. They are great lawyers and they look at this question from a purely legal standpoint, and therefore their opinion will have the greatest weight with men who want to know the truth.

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D. K. TAYLOR.

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When Mr. Robinson got to the legislature on such pledges and promises he deliberately broke them, either with malice aforethought or else he submitted to being whipped into line by the party lash of the Simmons machine.

We publish another affidavit from Hertford county showing the pledge that Hon. L. A. Daugherty, one of the State speakers, made:

STATE OF NORTH CAROLINA, {
HERTFORD COUNTY. {

A. W. Simons and Jack Everett, being duly sworn, deposes and says:

They that heard Hon. L. A. Daugherty, one of the Democratic speakers, who was a member of the Senate of 1893 and 1895, make a speech at Hertford county, say that the Democrats did not want the Louisiana disfranchising amendment to the Constitution; that the charges made by the Republicans and Populists speakers that they, the Democrats, were disfranchising the negro and poor white was false and only used to influence their vote; that they also favored the negro controlling their own schools.

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D. K. TAYLOR.

Sworn to and subscribed before me, this 27th day of January, 1900

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THE KEN-TUCKY SITUATION.

Law and order have not yet been restored in Kentucky. The ballot box stuffers, having failed so far to steal the State, have threatened to go off and set up a separate State government of their own. A number of efforts has however been made, it seems, on both sides during the past week to secure some compromise or settlement of their differences. It is noticeable that the one condition which the Republicans and anti-Goebel Democrats and Populists have insisted upon is that the infamous Goebel election law shall be repealed outright, and that a fair and honest law that would give all parties representation on elections boards should be enacted in its stead. Up to date, the Goebel machine Democrats have refused to accede to this. It seems that they are ready to concede anything else before giving up this infamous, thieving election law by which they can stuff enough ballot boxes and steal enough votes to overturn the will of the people. There is one column that a brave, free people will not submit to, and that is to have their votes stolen and their verdict reversed by dishonest election officials. This Goebel election law is the root and the cause of all the trouble that has occurred in Kentucky. From the present writing it seems that if the Democratic Machine would simply agree to have honest elections and let the people rule, that everything would be settled peacefully and quietly at once.

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THE CAUCASIAN.

Raleigh, N. C., Feb. 15, 1900

Right or Wrong.

Progressive Farmer.

A reader objects to our statement made last week that under the new election law registrars with their extraordinary power are not even sworn to do their duty. He states that section 9 of the law refutes our statement. Referring to section 9 we find it gives county election boards power to remove any registrar or judge of election appointed by them, for incompetency, failure to qualify within the time prescribed by law, failure to discharge the duties of office after qualifying, or for any other satisfactory cause." And this is the only reference to the registrar's qualifying that we find in the new law. We do not think that this section makes it compulsory except when so desired by county boards. On the other hand, if our friend will read the proceedings of the State Senate, March 2, 1899, he will read of a matter which was thus reported by Col. Olds in the Charlotte Observer;

"The election law came up as a special order. Fourteen separate amendments were offered by Senator Frank. These provided for a full representation of the Republicans and Populists on the election board and that the registrars should make oath before justices of the peace to faithfully perform their duties according to law. The amendments were voted down."

FROM ONE OF THE PEOPLE.

The Proposed Amendment is Unconstitutional and the Plain People Will Vote For or Submit to It.

For the Caucasian.

I have been reading some opinions of some of our best lawyers on the proposed Constitutional amendment, and am thoroughly disengaged with the feeble arguments advanced by the Democratic lawyers.

I am no lawyer, but if I was a backwoods school committeeman I would be ashamed to confess my ignorance or dishonesty and say that section 5 of the proposed amendment was Constitutional.

When a lawyer of education and ability de lares section 5 of the proposed amendment to be in accord with the 15th amendment of the Federal Constitution which declares that the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color or previous condition of servitude, I say that lawyer makes a fool of himself and tramples under foot that article he has pretended to have. Now, you can at a glance that section 5 discriminates against the negro.

To allow the illiterate whites to vote and eliminate the negro is as plain as the noon-day sun that section 5 is clearly unconstitutional.

It does not require a lawyer to determine this fact, as any man with ordinary common sense can readily see the inconsistency. This clause is where the Simmons machine thinks it will succeed in fooling enough illiterate white voters to ratify the amendment at the polls.

But here they will realize that the people have not forgotten the fair promises made during the campaign of 1898, when they said they would not attempt to disfranchise any one, white or black. The Democratic press and speakers denounced it as a Populist lie, and secret-circular Simmons issued another circular in which he declared it to be a lie, so old and rotten that one would believe it. Dr. King, Dr. L. D. of N. Y. Z., of the Wilmington Messenger, arose to remark that it was a lie, "a bald face lie," in Populist lie." With all these facts staring them in the face, can Simmons and his red shirt gang fool the people again? They will never get the rank and file of the Democratic party to support the amendment. The people know there is no danger of negro domination in North Carolina unless they are appointed to office by Democratic politicians. In as much as the proposed amendment does not eliminate the negro from politics it will not stop the Democratic machine from squalling negro. Indeed it would have something to hollow negro about. It would be awful to see some of the best white men in North Carolina refused the right of suffrage, while the educated town negro walks up to the polls and casts his vote, while the smoke of his cigar in the face of those white men from whose property taxes was collected.

The General Assembly shall provide for a permanent record shall be able to read and write any section of the Constitution in the English language; and, before he shall be entitled to vote, he shall have paid, on or before the first day of March of the year in which he proposes to vote, his poll tax, prescribed by law, for the previous year.

Taxes shall be a lien only on assessed property, and no process shall issue to enforce the collection of the same except against assessed property.

[Sec. 5.] No male person, who was on January 1, 1867, or at any time prior thereto, entitled to vote under the laws of any State in the United States, wherein he then resided, and no lineal descendant of any such person, shall be denied the right to register and vote at any election in this State by reason of his color.

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